

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings of claims in the application:

**Listing of Claims:**

1. (Currently amended) An isolated ATP-binding cassette protein having the following properties:

- i. conferring mitoxantrone resistance to S1-M1-80 human colon carcinoma cells when expressed in the cells;
- ii. being encoded by a nucleic acid capable of under stringent hybridization conditions specifically hybridizing to a polynucleotide sequence, ~~the antisense sequence of the polynucleotide sequence encoding~~ which encodes the amino acid sequence of SEQ ID NO:2, wherein the stringent hybridization conditions comprise a sodium ion concentration of from about 0.01 to about 1.0 M, a pH of from about 7.0 to about 8.3, and a temperature of about 60°C; and
- iii. having a molecular weight between about 70 kDa and about 75 kDa.

2. (Previously presented) The ATP-binding cassette protein of claim 1 wherein the protein has at least 95% identity to the amino acid sequence depicted in SEQ ID NO:2.

3-20. (Canceled)

21. (Previously presented) The ATP-binding cassette protein of claim 1, wherein the protein comprises the amino acid sequence of SEQ ID NO:2.

22. (Currently amended) The ATP-binding cassette protein of claim 1, wherein the ~~antisense~~ polynucleotide sequence comprises the nucleotide sequence of SEQ ID NO:1.

23. (Currently amended) The ATP-binding cassette protein of claim 1, wherein the nucleic acid ~~comprise~~ comprises the nucleotide sequence of SEQ ID NO:1.